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AFFIDAVIT IN SUPPORT OF APPLICATION FOR SEARCH WARRANT

NOV 20 2014

I, Lisa Aiken have being duly sworn, depose and say:

AT GREENBELT
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY *PX* DEPUTY

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant authorizing the examination of property—an electronic device—which is currently in law enforcement possession, and the extraction from that property of electronically stored information described in Attachment B.

2. I am a Special Agent with the U.S. Postal Service (Postal Service) Office of Inspector General (OIG). I am authorized under 18 U.S.C. Section 3061 to investigate criminal matters relating to the Postal Service and the mails, including violations of 18 U.S.C. Section 1709 (theft of mail by postal employees) and related offenses. I have over 12 years of specialized experience investigating postal crimes as a Postal Service OIG Special Agent. The information set forth in this affidavit is the result of my own investigation or is information that has been communicated to me by others involved in this investigation.

3. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

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IDENTIFICATION OF THE DEVICE TO BE EXAMINED

4. The property to be searched is an Apple iPhone telephone number 240-438-2113, IME #990002789081105, currently located in the evidence locker of the Postal Service OIG, Capitol Heights, MD. The applied-for warrant would authorize the forensic examination of the Device for the purpose of identifying electronically stored data particularly described in Attachment B.

PROBABLE CAUSE

5. Beginning June 2014, to the present, the Postal Service OIG has received numerous complaints concerning sliced envelopes with cash and gift cards being removed from the U.S Mail. During the month of August 2014, I received daily complaints from Post Offices in the local area reporting theft of gift cards and cash from mail pieces. On August 21, 2014, TD, Manager of Operations at the Southern Maryland Processing and Distribution Center (P&DC), Capitol Heights, MD gave me over 200 sliced envelopes along with a razor blade that had been recovered by another supervisor on or before August 13, 2014, from the Post Office facility in Capitol Heights, MD. Some of the sliced envelopes contained checks, which were returned to postal customers. The Postal Service mailed letters to postal customers advising them that the Postal Service OIG was conducting an ongoing criminal investigation and requested customers return the form and report the contents of their envelope(s), if any. The original envelopes were retained as evidence.

6. On July 30, 2014, I received a complaint concerning a stolen Target gift card. Postal customer RW reported she mailed a greeting card containing a \$120 Target gift card (number 041213030908172) on June 18, 2014, to an address in Upper Marlboro, MD. The addressee

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never received the gift card. RW later learned the Target gift card was fully redeemed at a Target store in Rockville, MD on June 23, 2014, at approximately 1:24 p.m.

6. I confirmed the Target gift card (number 041213030908172) had been redeemed. On August 08, 2014, I obtained a copy of the transaction, video surveillance and still shots, which showed a black female conducting the transaction with the stolen gift card. I showed the still shots to several Postal Service employees on August 11, 2014. A manager at the Southern Maryland P&DC identified the black female as Keniece Kirk, a Postal Service employee, who had access to the incoming mail and also worked at the P&DC. Kirk was captured on video surveillance redeeming the \$120 Target gift card.

7. Target personnel told me that telephone inquiries concerning the balances of 17 Target gift cards were made from cell phone number 240-438-2113 beginning June 9, 2014. I confirmed that several of these Target gift cards were reported stolen. I also verified through a records check that KENIECE LATRICE KIRK provided cell phone number 240-438-2113 on her employee application.

8. On August 28, 2014, Postal Service OIG agents interviewed Kirk and she admitted to stealing gift cards from the U.S. Mail. Kirk told Postal Service OIG agents that postal employee Kelvin Edgar Jr., who is assigned to the P&DC, stole the majority of the gift cards. According to Kirk, she stole and redeemed gift cards valued at approximately \$2,000; and Edgar gave her gift cards valued at approximately \$7,500. Kirk could not provide the exact number of gift cards she stole or received from Edgar. Kirk said Edgar would look for colored envelopes, put the envelopes to the side, and open and remove the gift cards when "the coast was clear." Kirk said she sometimes would be the lookout person. Kirk said Edgar began to get greedy and sometimes he just did not care who was around. Kirk said Edgar sometimes took the envelopes to the men's

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bathroom and rifled them. Kirk told me the telephone numbers used by Edgar were 202-430-4968, 202-210-5144, and 202-304-5304.

9. Postal Service OIG agents seized Kirk's iPhone pursuant to a search warrant. Kirk confirmed telephone number 240-438-2113 is her cell phone number. Kirk told Postal Service OIG agents she communicated with Edgar on her cell phone concerning the stolen gift cards. Kirk provided Postal Service OIG agents with her pass code and gave them permission to look through her contacts and text messages. During the interview, Kirk showed Postal Service OIG agents a message she sent her significant other stating that Edgar continues to steal gift cards. That telephone, iPhone, telephone number 240-438-2113, IME #990002789081105, is in the possession of the Postal Service OIG, in the evidence locker^{LA} located in Capitol Heights, MD.

10. Kirk gave OIG agents' permission to search her personal vehicle and OIG agents found and seized 25 gift cards from Kirk's vehicle. Kirk admitted she stole the gift cards from the U.S. Mail.

11. KENIENCE LATRICE KIRK was formerly a casual employee at the Postal Service facility in Capitol Heights, MD and had access to the incoming mail at the time of the reported complaints.

12. Based on my knowledge, training, and experience, I know that electronic devices such as Apple iPhones can store information for long periods of time. This information can sometimes be recovered with forensics tools. Kirk has shown me that such information is stored on her iPhone, and I have reason to believe the iPhone contains evidence of her association with Edgar, including any text messages and evidence of telephone calls concerning their unlawful opening of the mail.

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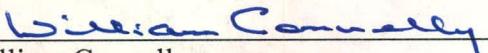
13. Based on the foregoing Affidavit, I believe probable cause exists to search KENIECE LATRIECE KIRK's cell phone for evidence of violations of U.S. Code Section 1708 (possession of stolen mail) and 18 U.S. Code Section 1709 (theft of mail by postal employee).



Special Agent Lisa Aiken, 301-909-9010
Capital Metro Area Field Office
U.S. Postal Service Office of Inspector General

SWORN TO AND SUBSCRIBED BEFORE ME THIS

3rd day of November, 2014.



William Connelly
United States Magistrate Judge

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Attachment A

Item to be searched

iPhone, telephone number 240-438-2113, IME #990002789081105, currently located in the evidence locker of the Office of Inspector General, United States Postal Service, Capitol Heights, MD.

Attachment B

Things to be seized

All records showing communications and text messages relating to violations of 18 U.S.C. § 1709, and content of text messages, between iPhone described in Attachment A and telephone numbers 202-430-4968, 202-210-5144, and 202-304-5304, between May 1, 2014 and present.

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